

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

DAVE HALL’S INTERNATIONAL
CENTER FOR CELLULAR HEALTH,

Plaintiff,

vs.

URBAN GROUP EXERCISE
CONSULTANTS et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER DIRECTING STONECO TO
APPOINT COUNSEL AND
STRIKING ANSWER

Case No. 2:05-CV-1057 TS

Defendant StoneCo purports to represent itself *pro se* by way of Bob Stone. The Court notes that it has long been the law in the Tenth Circuit “that a corporation can appear in a court of record only by an attorney at law.”¹ A corporation may not appear “through a non-attorney corporate officer appearing *pro se*.”² Since StoneCo is a corporation, it must be represented in this Court by an attorney at law. Mr. Stone is not a licensed attorney, therefore he may not represent StoneCo.

¹*Flora Const. Co. v. Fireman’s Fund Ins. Co.*, 307 F.2d 413, 414 (10th Cir. 1962).

²*Harrison v. Wahatoyas, L.L.C.*, 253 F.3d 552, 556 (10th Cir. 2001).

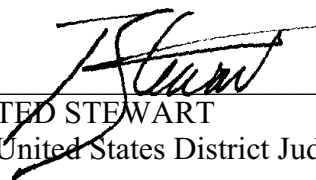
It is therefore

ORDERED that Defendant StoneCo appoint counsel to represent it in this matter within thirty (30) days of the issuance of this Order. It is further

ORDERED that StoneCo's Answer (Docket No. 25) is STRICKEN.

DATED March 23, 2006.

BY THE COURT:



TED STEWART
United States District Judge